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P R O C E E D I N G S
September 13, 2021, 9:03 a.m. CDT

JUDITH WOLF, M.D.,
having been duly sworn,
testified as follows:

EXAMINATION

11 BY MR. ZELLERS:

12 Q. Can you state your name,
13 please?

14 A. Dr. Judith Wolf.

15 Q. Dr. Wolf, my name is Michael
16 Zellers, and I'm here on behalf of the
17 Johnson & Johnson defendants for purposes of
18 both the MDL and also the Swann state court
19 cases. So I'll have a number of questions
20 for you over the course of the deposition,
21 which will go today and tomorrow.

22 If at any time you don't
23 understand a question that I ask, please tell
24 me you don't understand it, and I'll repeat
25 it or rephrase it.

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1 If there is any reason you need
2 to take a break, just tell me, and that will
3 be fine, once we complete, you know, whatever
4 question or questioning we're doing.

5 Do you have any questions
6 before we start?

7 A. I don't think so. Thank you.

8 Q. All right. You have done this
9 before; is that right?

10 A. I have.

11 Q. I understand that you were
12 deposed in the MDL ovarian cancer talc
13 proceedings back in January of 2019; is that
14 right?

15 A. That's correct.

16 Q. I also understand that you
17 testified in the Kleiner trial within the
18 last several weeks; is that correct?

19 A. That's correct.

20 Q. Other than your MDL deposition
21 and the Kleiner trial testimony, have you
22 given any other deposition or trial testimony
23 related to talc or talc products?

24 A. No.

25 Q. You -- well, let me ask you.

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1 Did you receive a copy of the
2 notice of deposition, which we'll mark as
3 Exhibit 1?

4 (Whereupon, Deposition Exhibit
5 Wolf-1, Notice of Deposition, was
6 marked for identification.)

7 A. I did.

8 BY MR. ZELLERS:

9 Q. Did you have a chance to review
10 that notice of deposition?

11 A. I did.

12 Q. Did you provide any responsive
13 documents to the notice of deposition to
14 counsel for the plaintiffs in this
15 litigation?

16 A. I did not.

17 Q. All right. Did you provide any
18 documents to counsel for plaintiffs in this
19 litigation that were responsive to the
20 deposition notice, which we've marked as
21 Exhibit 1?

22 A. I did not.

23 Q. Is it my understanding, then,
24 that you relied upon counsel to collect and
25 provide any responsive documents to the

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1 deposition notice?

2 MS. GARBER: Object.

3 DR. THOMPSON: Object to form.

4 A. My understanding of the
5 question you asked is once I received this,
6 did I provide them anything.

7 I received this yesterday, so
8 since that time, I have not given anything to
9 plaintiffs' attorneys.

10 BY MR. ZELLERS:

11 Q. Did you have an opportunity to
12 review the deposition notice?

13 A. I did.

14 Q. Did you look at the documents
15 that were requested that you produced?

16 A. Yes.

17 Q. Do you believe that all of
18 those documents, to the extent they were or
19 are in your possession, have been provided to
20 counsel for plaintiffs in this litigation?

21 A. Yes.

22 Q. You have relied upon counsel
23 for plaintiffs in this litigation to produce
24 the documents responsive to the deposition
25 notice, Exhibit 1; is that right?

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1 class 1 carcinogen. And it's the combination
2 of that, the use of that talcum powder that
3 caused her cancer.
4 BY MR. ZELLERS:
5 Q. What is your evidence of that?
6 DR. THOMPSON: Object.
7 BY MR. ZELLERS:
8 Q. I understand your opinion with
9 respect to talc.
10 A. That's what she used. That's
11 what she used and that's what has been found
12 in talcum powder.
13 Q. What evidence do you have that
14 any heavy metal contained in Johnson's Baby
15 Powder causes endometrioid ovarian cancer?
16 DR. THOMPSON: Object to form.
17 A. I don't know that there's any
18 evidence, but I don't know that anybody's
19 ever studied specifically those heavy metals,
20 chromium, nickel, cobalt, which can be
21 carcinogenic, cause ovarian cancer
22 specifically. They're carcinogenic.
23 BY MR. ZELLERS:
24 Q. Your opinion is that it's talc,
25 whatever the talc --

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1 A. It's the product.
2 Q. -- the product contains, that
3 caused Ms. Gallardo's endometrioid ovarian
4 cancer, correct?
5 A. It's a cause of her cancer.
6 Q. You're not trying to separate
7 out the constituent parts of the talc to say
8 that part of the talc is the cause of the
9 endometrioid ovarian cancer?
10 A. I'm not. I'm saying what's in
11 the product, what has been found in the
12 product, there are multiple things that are
13 carcinogens.
14 Q. You are not going to come to
15 trial and say it was asbestos contamination
16 in some bottles she used that cause ovarian
17 cancer; fair?
18 DR. THOMPSON: Object.
19 BY MR. ZELLERS:
20 Q. You're going to say it was the
21 use of the product with whatever constituent
22 parts it contained?
23 DR. THOMPSON: Object to form.
24 MS. GARBER: Object to the
25 form.

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1 A. It's the use of the product,
2 and in evaluating her tissues, there was
3 evidence of talc fibers and asbestos fibers.
4 BY MR. ZELLERS:
5 Q. Are you aware of whether or not
6 any bottle of Johnson's Baby Powder that
7 Ms. Gallardo claims to have used was ever
8 tested for any potential contaminants?
9 A. Since the last time she opined
10 that she used it was in 1988, unless she
11 keeps a lot of things around for a long time,
12 I would -- I would be amazed if it was.
13 Q. You're not one of
14 Ms. Gallardo's treating physicians; is that
15 right?
16 A. I am not.
17 Q. You're not involved in her
18 diagnosis or treatment with respect to
19 ovarian cancer, correct?
20 A. I am not.
21 Q. You've never met Ms. Gallardo;
22 is that right?
23 A. I have not.
24 Q. Have you ever spoken with her
25 husband?

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1 A. No.
2 Q. Her child?
3 A. No.
4 Q. Did you ask the lawyers if you
5 could meet with or speak to Ms. Gallardo's
6 family?
7 A. No.
8 Q. Have you ever determined the
9 cause of an individual's ovarian cancer in
10 your practice, your clinical practice,
11 without meeting them?
12 A. Yes.
13 Q. Under what circumstance?
14 A. So phone consultations from
15 other physicians. Tumor boards where we talk
16 about patients that I've never seen or met
17 that are my colleagues' patients. Many
18 times.
19 Q. Have you ever spoken with any
20 of Ms. Gallardo's treating physicians about
21 her case?
22 A. No.
23 Q. In your case-specific report,
24 pages 29 to 31, you list the case-specific
25 materials on which you rely; is that right?

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1 A. The testing today often has
2 more genes, yes.
3 BY MR. ZELLERS:
4 Q. You're aware that
5 Ms. Gallardo's mother had a [REDACTED]
6 [REDACTED] in her forties?
7 A. I don't recall that from her
8 records.
9 Q. Do you know whether or not
10 Ms. Gallardo's mother had her [REDACTED] removed
11 during her [REDACTED]?
12 A. I don't.
13 Q. If she did have her [REDACTED]
14 removed, that would prevent her from
15 developing ovarian cancer, correct?
16 A. Most of the time.
17 Q. So we just don't know whether
18 Ms. Gallardo's mother would have developed
19 any type of gynecologic cancer, including
20 ovarian cancer, correct?
21 DR. THOMPSON: Object to form.
22 MS. GARBER: Object to the
23 form.
24 A. We don't know about her
25 ovaries. We know she had here [REDACTED] out.

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1 We don't know about her ovaries or her
2 fallopian tubes. So I don't think there's
3 any information to add to that one way or
4 another.
5 MR. ZELLERS: All right. Let's
6 end for today. Because we went out of
7 order on this case, I may have a few
8 follow-up questions tomorrow, but I've
9 covered at least the bulk of my
10 questions relating to Ms. Gallardo.
11 So we'll come back in the
12 morning, and we will do the other
13 three cases.
14 THE WITNESS: Okay.
15 MR. ZELLERS: Okay. We're off
16 the record.
17 (Time noted: 6:01 p.m. CDT)
18 --o0o--
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1 CERTIFICATE
2 I, MICHAEL E. MILLER, Fellow of
3 the Academy of Professional Reporters,
4 Registered Diplomate Reporter, Certified
5 Realtime Reporter, Certified Court Reporter
6 and Notary Public, do hereby certify that
7 prior to the commencement of the examination,
8 JUDITH WOLF, M.D. was duly sworn by me to
9 testify to the truth, the whole truth and
10 nothing but the truth.
11 I DO FURTHER CERTIFY that the
12 foregoing is a verbatim transcript of the
13 testimony as taken stenographically by and
14 before me at the time, place and on the date
15 hereinbefore set forth, to the best of my
16 ability.
17 I DO FURTHER CERTIFY that pursuant
18 to FRCP Rule 30, signature of the witness was
19 not requested by the witness or other party
20 before the conclusion of the deposition.
21 I DO FURTHER CERTIFY that I am
22 neither a relative nor employee nor attorney
23 nor counsel of any of the parties to this
24 action, and that I am neither a relative nor
25 employee of such attorney or counsel, and
that I am not financially interested in the
action.

MICHAEL E. MILLER, FAPR, RDR, CRR
Fellow of the Academy of Professional Reporters
NCRA Registered Diplomate Reporter
NCRA Certified Realtime Reporter
Certified Court Reporter

Notary Public in and for the
State of Texas
My Commission Expires: 7/9/2024

Dated: September 16, 2021

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1 INSTRUCTIONS TO WITNESS
2
3 Please read your deposition over
4 carefully and make any necessary corrections.
5 You should state the reason in the
6 appropriate space on the errata sheet for any
7 corrections that are made.
8 After doing so, please sign the
9 errata sheet and date it.
10 You are signing same subject to
11 the changes you have noted on the errata
12 sheet, which will be attached to your
13 deposition.
14 It is imperative that you return
15 the original errata sheet to the deposing
16 attorney within thirty (30) days of receipt
17 of the deposition transcript by you. If you
18 fail to do so, the deposition transcript may
19 be deemed to be accurate and may be used in
20 court.
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